

**FILED**

**JUN 16 2021**

ASSISTANT CLERK OF COURTS  
REPUBLIC OF THE MARSHALL ISLANDS

**IN THE TRADITIONAL RIGHTS COURT  
OF THE  
REPUBLIC OF THE MARSHALL ISLANDS**

CLARY MAKRORO, )  
(on behalf of Naomi Makroro) )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 CARITHA LANI, PERCY LAIEB & JOHNNY )  
 MACK, )  
 )  
 Defendants. )  
\_\_\_\_\_ )

CIVIL ACTION NO. 2018-074

**LEMNAK IM UAAK EO**  
**TRC PANEL EO**

**RO UAAN PANEL EO:** Grace L. Leban  
Presiding Judge, TRC  
  
Nixon David  
Associate Judge, TRC  
  
Milton Zackios  
Pro Tem Associate Judge, TRC

**JIKIN RONJAKE EO:** Majuro Courthouse

**RAN IN RONJAKE KO:** February 23 & 24, 2021; April 29, 2021

**IAKWELEL KO IKOTAN PARTY KO:**

Riabnono eo ilo case in, Clary Makroro, eo im Naomi Makroro ej jijot ilo etan, ear mokta ba bwe ej juon ian Senior Dri Jerbal ro ilo Ronbad weto, Rairok Village, Majuro Atoll. Ej ba bwe elkin an Rijumae Abnono eo, Johnny Mack, jab kile einwot ke erro ej jimor Senior Dri Jerbal ion Ronbad weto, innem Riabnono Makroro ear ukot iakwelel eo an im ba bwe e eo ej kabjor maron

in Senior Dri Jerbal im jab Rijumae Abnono Mack, ion Ronbad weto. Ekkar non Riabnono Makroro, e eo ekkartata non kabjor maron eo an Senior Dri Jerbal ion Ronbad weto, einwot ke lollap eo jibun, Litaimon Makroro, ej an Libojrak kokajriri, im lollap eo jimaan Rijumae Abnono eo, Arkilos Konou, Libojrak ear bok bwe en nejin alkin an kar unoiki jen naninmij, im ejab uan bwij eo. Riabnono Clary Makroro ej bar ba bwe, e eo ekkartata non kabjor maron eo an Senior Dri Jerbal ion Ronbad weto, im jab Rijumae Abnono Mack.

Rijumae Abnono Mack ej ba ilo naan in iakwelel ko an bwe, mene Libojrak ear kokajiririk Litaimon Makroro jen lowan wot bwij eo, im bok bwe en nejin Arkilos Konou jen likin bwij eo alkin an kar unoiki jen naninmij, botab Libojrak ear watok Litaimon im Arkilos bwe rej nejin, im jonaerro wot juon ilo an lale erro. Rijumae Abnono Mack ej bar ba bwe Alap Percy Laieb, eo ej alab non Ronbad weto rainin, ej kile e, Rijumae Abnono Mack, einwot juon Senior Dri Jerbal. Ej bareinwot ba bwe Alap Laieb ej boktok wot karok ko an alap ro mokta lok jen e, einwot bwe Arkilos Konou ej Dri Jerbal ion Ronbad weto im Litaimon Makroro ej Dri Jerbal ion Lole im Kinawe weto, ilo aero komani jermal ko ion bwidrej non Alap eo.

#### **KAJJITOK KO KAR LITOK NAN PANEL EO BWE EN UAAKI:**

1. IKOTAAN RIABNONO CLARY MAKRORO IM RIJUMAE ABNONO JOHNNY MACK, IM RO REJ KOBALOK IBBEIR, WON EO, IUMIN MANIT IM IMINENE KO ILO MANTIN MAJOL, EKKAR IM EJMWE BWE EN KABJOR MARON EO AN SENIOR DRI JERBAL ION RONBAD WETO, RAIROK VILLAGE, MAJURO ATOLL.

#### **UAK NON KAJITOK EO:**

1. CLARY MAKRORO

#### **MELELE KO IM UAAK KEIN REJ BEDBED IOIER:**

Riabnono im Rijumae Abnono ro rej jimor erra bwe Percy Laieb ej alap eo rainin ion Ronbad weto. Ewor jilu weto ko rej ber wot iturin dron, Lole, Kinawe im Ronbad, im aoleb weto kein Percy Laieb ej alab ie rainin.

Case in ear jarjar alkin an kar juon ian Rijumae Abnono ro, Caritha Lani, jino kalek imon jokwe eo an ilo Ronbad weto. Ilo naan in kamol ko an Lani, enkar ekal ion Kinawe weto, botab alkin an kar Kijolok Beaja, eo emoj an motlak jen mour in, kar kabojrake, innem ear bojtrak. Ear wonmanlok wot im ba ilo naan in kamol kein an bwe eja ilo tore in wot ear ione Rijumae Abnono Johnny Mack. Ej bar ba bwe Mack ear ba emaron etal im ekal ilo weto eo juon, Ronbad weto, botab en kebaak Alap Percy Laieb, eo im ej bareinwot juon ian Rijumae Abnono ro ilo case in. Alap Laieb ear kotlok an Lani kalek imon jokwe eo an ilo Ronbad weto, im ej tore eo in im ear jino walok bok in ikotaan party kein ruo. Riabnono Makroro ejba bwe Rijumae Abnono Mack ear jab kebaake kin an Caritha Lani kalek imon jokwe eo an ion Ronbad weto.

Alkin etale aoleb kein kamol ko kar kadreloni ilo case in, Panel eo an TRC ej melele bwe Libojrak ear kokajiririk Litaimon Makroro jen ke ear ajri jen lowaan wot bwij eo. Panel in ej bareinwot melele bwe alkin an Libojrak kemour Arkilos Konou jen an kar eboj buruon, Arkilos ear kajitok an bok Libojrak bwe en jinen einwot ilo mantin uno, im Libojrak ear kaurok kajitok eo an Arkilos einwot an ejelok koban lojen im ear watok Arkilos bwe ej kanin lujen. Wawen an kar Libojrak watok Litaimon im Arkilos einwot jet ro rej kanin lujen ej alikar ilo an kar kemaron erro ion weto ko an bwe ren kabjor maron in Dri Jerbal. Ej allikar ilo case ko lak imaan an ejja bamle kein wot, einwot ilo *Benjamin v. Arkilos* im *Diamond Makroro v. Benjamin L.*, bwe Libojrak ear kajolet armij rein nejin, Litaimon Makroro im Arkilos Konou kin maron eo an Dri Jerbal ion Ronbad weto. Im maron kein aero rej jonan wot juon, ijo wot ke eja ilo jemlok kein an case kein wot, manit ear bok jikin einwot an alikar bwe mekarta Litaimon eritto jen Arkilos, ak ekar kile Arkilos bwe en imaan non erro einwot ke ej maan maronron, im ejelok drik in emaan.

Itok non raan kein im ilo case in imaan TRC Panel in rainin, emoj an motlak ebeben eo an Litaimon im Arkilos, ak rein bwijior rej wonmantak kin kajitok in aer ikijen won eo ej kabjer maron an Senior Dri Jerbal ian Clary Makroro, eo jibun Litaimon, im Johnny Mack, eo jibun Arkilos. Ekkar non naan in kamol ko an alap eo an Ronbod weto, Alap Percy Laieb, ear kwalok imaan Panel in ke ej kile Johnny Mack im jab Clary Makroro einwot juon Senior Dri Jerbal non Ronbad weto rainin. Ekkar non Alap Laieb, ej loor wot ta eo alap eo lak imaan, late Alap Kelet

Jorlikep, einwot an kar bar kile Johnny Mack im lelok bwe en sign einwot juon Senior Dri Jerbal ilo lease eo an Margaret Muller, Defendants' Exhibit A, im lease eo an Dwight Heine, Defendants' Exhibit B. Mekarta, Panel in ej tomak bwe maron kein an Riabnono Clary Makroro im Rijumae Abnono Johnny Mack, ion Ronbad weto einwot jet Dri Jerbal rej jonaer wot juon, ijo wot ke ilo lajrak in kautej im ekkar non manit, ej aikuj wor juon eo ej imaan ak Senior Dri Jerbal non lorlorjake jermal ko ion bwidrej ilo etaerro jimor enwot an alikar ilo *Konou v. Makroro*, im ekkar non manit. Panel in ej kile wawen in einwot an kar manit bok jikin ilo tore eo an Litaimon im Arkilos, eo im ear aikuj wor juon eo ej imaan iaerro einwot juon Senior Dri Jerbal. Panel in ear wonmanlok wot im lale lajrak eo an Libojrak laltak non ro nejin, Litaimon im Arkilos, im ej alikar bwe mekarta Litaimon eritto jen Arkilos, ak Arkilos ear ber imaan iaerro. Itok wot non ebeben eo an Clancy im Jane, ej bareinwot alikar bwe mekarta ear jonan wot juon aero maron in dri jermal ion Ronbad weto, botab ilo kwon eo ear koman ilo December 17, 1974, eo im alap eo an Ronbad weto ilo tore eo, Benjamin L. im Clancy Makroro rar sign i, ej kemlet bwe Clancy Makroro ej Senior Dri Jerbal eo kein kajuon im Jane Konou ej Senior Dri Jerbal eo kein karuo ekkar non manit. Wawen in ej kalikar non Panel in bwe eindrein an kar wonlaltak wot kwon in bwe ro bwijin Litaimon im ro bwijin Arkilos rej jonaer wot juon ilo maron einwot dri jermal ion Ronbad weto, botab iumin manit, ewor juon ej ber imaan, einwot an kar walok ibben ro lak imaan. Riabnono Clary Makroro im Rijumae Abnono Johnny Mack, ej erro im rej dri jermal ion Ronbad weto rainin, ijo wot ke einwot an kar bar walok ibben ro lak imaan, im iumin manit, eo imaan ej Riabnono Clary Makroro einwot ke ej nejin maan im Johnny Mack ej nejin kora. Melelein bwe ear toor in botoktok jen Clancy Makroro non eo nejin, Riabnono Clary Makroro im ekkar bwe en bok maron eo an Senior Dri Jerbal ion Ronbad weto ilo tore in.

#### **MANIT IM IMINENE KO REJELET CASE IN:**

1. *Kokajriri* – Elane rej bok juon ajri eo ejkab lotak ak juon ajri eo edrik wot, im lale einwot ne koban lojen eo ej kokajriri. Emaron jen wot bwij eo, ak emaron bar jen likin bwij eo.
2. *Ukot boka* – Ukot jouj/eman ko an ro jet non kwe kin bar jouj/eman. Jej ukot boka non jined im jemed kin aer kar lale koj jen ke jej lotak non ne jeritto, inem ilo aer ritto im ban, jej ukot boka im lale er.
3. *Kanin lujen*- Watoke ke ej koban lojen ak lukun nejin.

4. *Maan maronron* – Leo nejin alap eo ej maan maronron non kora ro jein im jatun jemen im ej makitkit im lorlorjake makitkit ko ion bwidrej ekkar non kabe ko an kora ro jinen.
5. *Ejelok drik in emaan* – Mekarta kora eo eritto ej kabjer maron eo an alap, botab elane ewor jatun emaan, innem maan eo enaj wonlontak im bok maron eo kinke ejelok drik in emaan.
6. *Toor in botoktok* – Maron eo an dri jermal ak Senior Dri Jermal ej itok iumin toor in botoktok, eo eber ibben ro nejin emaan.

#### **KEIDI MANIT IBEN MELELE KO REMOL:**

Ijelokin an kar Panel in etali kein kamol ko ilo case in, ear bareinwot etale wawen an manit jermal ilo melele kein jen party kein jimor. Panel in ej kile bwe ear wor ruo wawen an kar Libojrak bok Litaimon Makroro im Arkilos Konou bwe en kanin lujen ak einwot ne kar koban lojen. Mokta ear kokajiririk Litaimon jen lowaan wot bwij eo jen ke ear drik non ke ej ritto. Tok alik, ear bok Arkilos bwe en nejin tore eo Arkilos ear juon likao im ear etal bwe Libojrak en unoiki. Ke ej ejmour lak, Arkilos ear bok Libojrak bwe en tarin wot jinen. Innem Libojrak ear watok Litaimon im Arkilos einwot kanin lujen, im ukot boka ear jab bok jikin.

Libojrak ear kejolet Litaimon im Arkilos im lelok bwe en jonan wot juon aero maron in jermal ilo ijoko jikin, ekoba Ronbad weto. Ijo wot ke, Arkilos ear tel imaan non erro Litaimon menne edrik. Panel in ej kile bwe Arkilos ear juon man maronron non Litaimon ekkar non manit, einwot ke ejelok drik in emaan. Lajrak in ear bar bok jikin ilo tore eo an Clancy Makroro, eo jemen Riabnono Clary Makroro im Jane Konou, eo jinen Rijumae Abnono Johnny Mack. Ilo tore eo ear bar wor bok ikijen won eo imaan iaerro, Alab eo ilo tore eo, Benjamin L., ilo an kar sign i kwon eo, ear erra bwe en etal maron eo imaan an Senior Dri Jermal non Clancy, einwot ke ej *maan maronron* non Jane ilo tore eo, ekkar non manit. Rainin eja iumin manit wot, Panel in ej kile bwe maron eo an Senior Dri Jermal en etal non Riabnono Clary Makroro, einwot ke ej nejin maan, im Rijumae Abnono Johnny Mack ej nejin kora. Toor in botoktok eber iben eo nejin maan, ej Clary Makroro ilo tore in.

**Dri Kamol an Dri Abnono:**

1. Naomi Makroro
2. Hilton Lakior
3. Belmar Graham
4. Joe Lomae

**Dri Kamol an Dri Jumae Abnono:**

1. Percy Laieb
2. Caritha Lani
3. Johnny Mack

**Kein Kamol an Dri Abnono:**

1. Plaintiff's Exhibit A – Family Genealogy Chart
2. Plaintiff's Exhibit B – Civil Action 2018-159, Makroro v. Tomeing
3. Plaintiff's Exhibit B1 – Genealogy for Jorlikiep Makroro
4. Plaintiff's Exhibit C – Civil Action 204, Benjamin v. Arkilos
5. Plaintiff's Exhibit D – Civil Action 410, Daimon v. Benjamin
6. Plaintiff's Exhibit E – Civil Action 19-73, Konou v. Makroro
7. Plaintiff's Exhibit F – Civil Action 2003-054, Joe v. Makroro

**Kein Kamol an Dri Jumae Abnono:**

1. Defendants' Exhibit A - Lease Agreement, Margaret Muller
2. Defendants' Exhibit B -- Lease Agreement, Dwight Heine
3. Defendants' Exhibit C – Excerpts, Amata Kabua
4. Defendants' Exhibit D – Excerpts, Jack Tobin

**Wawen Ko Jet Panel In Ej Loi Bwe Rekkar Non Walok:**

Ekkar non Riabnono eo ej ba bwe court in ej aikuj kajej tokjen jemlok ko rar koman lak imaan

court, einwot jemlok eo ilo *Benjamin v. Arkilos, Diamond Makroro v. Benjamin L.*, im *Konou v. Makroro*. Elane ear wor bod ko ilo jemlok ko an case kein ba kaki, innem ear wor ien non an party kein ilo case kein naj kar appeal i jemlok kein ak wawen in ear jab koman. Ikijen abnono eo kin *res judicata*, ekkar non Rule 7(f), iumin Traditional Rights Court Rules of Procedure, abnono in ej juon eo ejelet kakien ko an ekajet, inem Panel in ej lelok abnono in non an High Court eo uake. Alikтата, einwot ke rein ilo case in rej juon wot jen Libojrak, innem manit eo aurok im jej jenolok kake im ej bareinwot drebij aenoman eo ilo nukun kein ad ej ilo ad jela nae dron im kautej dron.

Raan: 6/16/24



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Grace L. Leban  
Presiding Judge, TRC



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Nixon David  
Associate Judge, TRC

IN THE HIGH COURT  
OF THE  
REPUBLIC OF THE MARSHALL ISLANDS

NAOMI MAKRORO (on behalf of Clary Makroro) ) Civil Case No. 2018-074  
Plaintiff )  
v. )  
Carintha Lani, Percy Laieb and Johnny Mack, )  
Defendant )

**CERTIFICATE OF  
SERVICE**


I, Kristen Kaminaga, Asst. Clerk of the Courts, hereby certify that on 06/16/21

I served the Lemnak Im Uaak Eo TRC Panel Eo

filed 06/16/2021 in the above captioned matter on:

1. Rosania Bennett by  Email  Fax  Personal Hand Delivery
2. Russell Kun by  Email  Fax  Personal Hand Delivery
3. \_\_\_\_\_ by  Email  Fax  Personal Hand Delivery
4. \_\_\_\_\_ by  Email  Fax  Personal Hand Delivery

Attached is a copy of my  Sent Email /  Fax Confirmation.

  
\_\_\_\_\_  
Kristen Kaminaga  
Asst. Clerk of the Courts  
Marshall Islands Judiciary

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JUN 16 2021

  
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REPUBLIC OF THE MARSHALL ISLANDS





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**CA 2018-074**

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Wed, Jun 16, 2021 at 4:05 PM

To: Rosania Bennett &lt;rosania.bennett@mlscnet.org&gt;, Russell Kun &lt;rkun2405@gmail.com&gt;


lakwe Counsels,

Kindly view the attached *Lemnak Im Uaak Eo TRC Panel Eo* and please acknowledge receipt of this email.Kommol tata,  
Kristen

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